

On Wednesday, May 18, 2016, at 6:00 p.m., the Dayton City Commission met in regular session in the Commission Chambers of City Hall.

**CALL TO ORDER**

Mayor Whaley called the meeting to order.

**INVOCATION**

Commissioner Mims gave the invocation.

**PLEDGE OF ALLEGIANCE**

Mayor Whaley led the public in the Pledge of Allegiance.

**ROLL CALL**

Roll call was taken and Mayor Whaley, Commissioners Williams, Joseph, Mims and Shaw were present. The Clerk of Commission, Ms. Rashella Lavender, and the City Manager, Ms. Shelley Dickstein, were also present.

**APPROVAL OF MINUTES**

**Commissioner Mims made the motion to approve the minutes from the May 11, 2016, meeting.**

**Commissioner Williams seconded the motion. The previous meeting minutes were unanimously approved.**

**COMMUNICATIONS AND PETITIONS**

**Communication #21133**

Petition - Street vacation - Bank Street from South Right of Way Line of West Third to West Fourth Street

**Communication #21134**

Petition – Alley vacation - First Alley West of North Gettysburg Avenue from Alley North of West Third Street to Frances Avenue

**Communication #21135**

Petition - Street vacation - W. Fourth St, Cedar Avenue and Alley South of West Fourth Street to I-75 Limited Access Right of Way to Bank Street

**Communication #21136**

**State of Ohio, Department of Liquor Control – Permit Application D1 Permit #6945170 – Pita Pockets LLC, 444 N. Bend, Dayton, Ohio 45404.**

The Clerk of Commission reported receipt of Permit Application D1 Permit #6945170 – Pita Pockets LLC, 444 N. Bend, Dayton, OH 45404. The application was referred through the City for investigation.

**SPECIAL AWARDS/PRESENTATIONS**

**Speak. Be Heard. Be Considered.**

Mayor Whaley invited Ms. Katy Crosby, Executive Director of the Human Relations Council, to the podium to recognize the winners of this years Spoken Word Competition.

Ms. Crosby said Speak. Be Heard. Be Considered. gives city residents a voice to speak about things they see in their community and discussion around solutions. Ms. Crosby introduced the 2016 second place winner Ms. Juanita Jones, Thurgood Marshall High School, and the third place winner Mr. Marvin Neely, Thurgood Marshall High School.

Ms. Jones said she really enjoyed being in the competition. She said what she took away from the competition is the only way to help make a difference in the community is to show action.

Marvin said he wanted to share his life story to encourage other people to never give up.

Ms. Crosby said they had 21 students to compete this year and she is excited to continue working with metaphorically speaking. She thanked Ms. Erica Fields for her coordinating this event.

Commissioner Williams congratulated all of the participants. He said their expressions were moving at the competition.

Commissioner Williams asked Ms. Crosby to speak about the other event for Speak. Be Heard. Be Considered.

Ms. Crosby said the other event for Speak. Be Heard. Be Considered. was a Listening Tour which took place at Tabernacle Baptist Church. She said the Listening Tour is similar to the Mayor's Porch Tours but is specific to community police relations. Ms. Crosby said participants are asked to share their experiences with the City of Dayton. She said Public Affairs will compile the information and share it with the Departments affected.

Commissioner Williams commended Ms. Crosby on her efforts.

### **Statewide Stock Market Games**

Mayor Whaley invited Mr. Greg Powell, Teacher at the Dayton Boys Prep Academy, to the podium to recognize students that participated in the Statewide Stock Market Games and Competition.

Mr. Powell said in 1999 he began the program as a response to a rampant consumer culture. He said wanted to show students the difference in being a consumer versus being an investor.

Mr. Powell shared a video with the Commission. He invited Shaione Swanson, CEO of the Gold Eagle Stock Market Team, to share his favorite stock.

Mr. Swanson said his favorite stock is Cincinnati Bell (CBB). He said on February 11, 2016, they bought 64,000 shares of stock at \$3.13 per share which totaled \$20,032. He said on April 15, 2016, their stock rose to \$3.87 per share which increased their total profit to \$24,768.

Mr. Nathaniel Thomas, CEO of the Green Eagle Team, said his favorite stock is VeriSign (VRSN) He said they bought 160 shares of stock at 61.20 per share which totaled \$9,792. He said on April 15, 2016, their stock rose to \$85.72 per share which increased their total profit to \$13,712.

Mr. Powell said he is in partnership with Wright State University and Key Bank.

Commissioner Williams congratulated Mr. Powell, Mr. Swanson, and Mr. Thomas.

Commissioner Mims said this shows why Mr. Powell was nominated and won Teach of the Year.

Commissioner Joseph congratulated Mr. Powell and his students.

Commissioner Shaw congratulated Mr. Powell's students and said he was really impressed.

The Clerk of Commission read a greeting from the Mayor.

### **Public Works Week**

Mayor Whaley invited Mr. Fred Stovall, Director of Public Works, to the podium to talk about National Public Works Week.

Mr. Stovall said there are three main points to public works, maintain infrastructure, create infrastructure, and use technology to deliver quality service to tax payers. He said people should think of public works as a house where the work is never ending effort to keep your landscaping trimmed, house painted, sidewalk free of snow, lawn watered, grass mowed, and roof repaired.

Mr. Stovall said Public Works is very important work and he asked citizens that notice Public Work employees in the field to stop and say hello.

Mr. Stovall had employees from Public Works to introduce themselves to the Commission. They were: Matt Newton – Fleet Manager, Bill Austin – Supervisor 2<sup>nd</sup> shift, Tony Blocker – Heavy Equipment Mechanic, Josh Wiltshire – Heavy Equipment Mechanic, Homer Patrick – Welder, Joe Shanks – Heavy Equipment Mechanic, Paul McKinley – Heavy Equipment Mechanic, Matt Kessel – Heavy Equipment Mechanic, and Tom Ritchie Jr. – Waste Collection Manager.

The Clerk of Commission read a proclamation from the Mayor.

### **Bike Legislation**

Mayor Whaley invited Ms. Laura Estandia, Bike Miami Valley and Bracey Elton, Ohio Bicycle Federation, to the podium to explain the new bicycle legislation.

Ms. Estandia thanked the Dayton City Commission for passing a law that protects bicyclists on the road ways. Ms. Estandia said there are more steps that can be taken to prevent bicycle accidents and crashes and she look forward to working with the Dayton City Commission on that endeavor.

Mr. Elton thanked the Dayton City Commission for passing a law that provides greater safety to bicyclists. He said this ordinance will allow vehicles to give bicyclist a three foot passing clearance and proceeding after yielding right-of-way when not detected at intersections.

Mayor Whaley said Representative Mike Henna is the sponsor for Hour Bill154 and she is happy to support his efforts.

**ADDITIONS OR DELETIONS TO THE CALENDAR**

There were no additions or deletion to the calendar.

Commissioner Joseph left the meeting early.

**REPORTS:**

**A. Purchase Orders, Price Agreements and Contracts:**  
**(All contracts are valid until delivery is complete or through December 31<sup>st</sup> of the current year).**

**1. Purchase Order:**

**AVIATION**

**A1. Enterprise Roofing & Sheet Metal Co.** (roof maintenance, repair and related services as needed through 07-31-16) **\$50,000.00**

1.

**ECONOMIC DEVELOPMENT**

**B1. USI Midwest LLC** (annual railroad liability insurance policy) **21,875.00**  
**(and for the period of 01-01-17 through 12-31-18)** **44,000.00**

**FIRE**

**C1. ACME Spring, Inc.** (heavy duty fire equipment repair parts and services as needed through 12-31-16) **20,000.00**  
**(and for the period of 01-01-17 through 12-31-19)** **60,000.00**

**WATER**

**D1. Koenig Equipment, Inc.** (one Ventrac brand tractor and mower accessories) **25,000.00**

-Depts. of Aviation, Economic Development, Fire and Water. **Total: \$220,875.00**

**2. Development Projects, Inc. – Agreement** – to promote economic development in the City of Dayton – Dept. of Economic Development. **\$75,000.00**  
**(Exp. 12/31/16)**

**3. Montgomery County Land Reutilization Corporation – First Amendment Community Agreement** – for the Neighborhood Initiative Program – Dept. of Planning & Community Development. **\$200,000.00**  
**(Thru 10/31/17)**

**4. The Democracy Collaborative – Professional Services Agreement** – to research and recommend innovative economic and community development strategies – Dept. of Economic Development. **\$45,000.00**  
**(Exp. 12/31/16)**

**B. Construction Contracts/Estimates of Cost:**

**5. CPM Enterprises, LLC – Contract** – for the Nuisance Abatement Program Residential and Commercial Securing I – 2016 (100% SBE Participation Goal/100% SBE Achieved) – Dept. of Planning & Community Development/Housing Conservation. **\$154,904.00**  
**(Thru 06/30/18)**

- 6. **Steve R. Rauch, Inc. – Contract** – for the Nuisance Abatement Program Residential Demolition I – 2016, (10% MBE Participation Goal/10% MBE Achieved) (5% WBE Participation Goal/5.01% WBE Achieved) – Dept. of Planning & Community Development/Housing Conservation. **\$267,320.00**  
**(Thru 12/31/17)**

**C. Revenue to the City:**

- 7. **ABM Parking Services – Management Agreement – Sixth Renewal Option** – for day to day administration and operations of the Municipal Parking Garage – Dept. of Central Services/Facilities Management **\$250,000.00 Est. Mgt. Exp.**  
**\$400,000.00 (Est. Rev. to City)**  
**(Thru 6/17)**
- 8. **ABM (formerly Ampco System Parking) – Management Agreement – Sixth Amendment** – to manage day-to-day operations of the Transportation Center Parking Garage – Dept. of Recreation & Youth Services/Convention Center. **\$500,249.00 (Est. Mgt. Exp.)**  
**\$415,000.00 (Est. Rev. to City)**  
**(Thru 6/30/17)**

**D. Neighborhood Grants:**

- 9. **The Entrepreneurs Center – Development Services Agreement** – to provide mentors and advisors to incubator tenants housed within The Creative Technology Accelerator at the Tech Town campus as well as other start-up businesses within the City of Dayton as needs are identified – Dept. of Economic Development. **\$200,000.00**  
**(Exp. 1/31/18)**

**E. Other – Contributions, Enterprise Zone Agreements, Etc.:**

**BY THE BOARD OF REVISION OF ASSESSMENTS**

- 10. In the Matter of Declaring the Intention of the Commission to vacate the Alley South of Stout Street from Catherine Street to South Patterson Boulevard – Recommendation to Proceed.

**CITIZENS’ COMMENTS ON CALENDAR ITEMS**

There were no citizens’ comments on calendar items.

**DISCUSSION OF CALENDAR ITEMS**

Ms. Dickstein invited Mr. Ford Weber, Director of Economic Development to the podium to highlight these calendar items.

**Calendar Item No.2-Development Projects Inc.- Agreement**

Mr. Weber said this calendar item will focus on three areas, aerospace hub, performing data analytics, and last to create and align city and regional economic development.

**Calendar Item No.4-The Democracy Collaborative- Professional Services Agreement**

Mr. Weber said this item focuses on two primary areas, to strengthen work force development activities that focus on developing worker’s skills and matching them to existing employment opportunities in the community and to explore opportunities to meet the existing procurement demands.

**Calendar Item No.9-The Entrepreneurs Center- Development Services Agreement**

Mr. Weber said this item will provide mentoring and advising to incubator tenants. He said some of the services included are access to financing, training, seminars and financial reviews.

Mayor Whaley said she is please to see these economic development items on the calendar. She thanked LEAD for brining Democracy Collaborative to the City of Dayton.

**APPROVAL OF CITY MANAGER'S RECOMMENDATIONS**

Commissioner Shaw made the motion to approve the City Manager's Reports. Commissioner Mims seconded the motion. The City Manager's Reports were approved with a 4-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Williams, Joseph, Mims and Shaw.

**LEGISLATION**

**EMERGENCY ORDINANCES – FIRST AND SECOND READING**

**Emergency Ordinance No. 31492-16-** Amending Revised Code of General Ordinances Section 71.06(A) to Provide Greater Safety to Bicyclists on Dayton's Roadways, and Declaring an Emergency.

Commissioner Williams moved that this being an emergency measure for the immediate consideration of the Ordinance. Commissioner Mims seconded the motion. The motion was passed with a 4-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Williams, Mims, and Shaw. The question being shall Emergency Ordinance No. 31492-16 be passed. A roll call vote was taken resulting in a 4-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Williams, Mims, and Shaw. The Emergency Ordinance was passed.

**Emergency Ordinance No. 31493-16-** Authorizing the Purchase of Five (5) Parcels of Real Property Located at 34 N. Main Street for the Purpose of Community and Economic Development, and Declaring an Emergency.

Commissioner Shaw moved that this being an emergency measure for the immediate consideration of the Ordinance. Commissioner Mims seconded the motion. The motion was passed with a 4-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Williams, Mims, and Shaw. The question being shall Emergency Ordinance No. 31493-16 be passed. A roll call vote was taken resulting in a 4-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Williams, Mims, and Shaw. The Emergency Ordinance was passed.

**EMERGENCY RESOLUTION – FIRST AND SECOND READING**

**Emergency Resolution No. 6190-16-** Approving the Submission of a Grant Application for the Fiscal Year 2017 Ohio Airport Grant Program to the Ohio Department of Transportation, Office of Aviation; Authorizing the Acceptance of a Grant from the State of Ohio Department of Transportation, Office of Aviation in an Amount Not to Exceed One Million Six Hundred Sixty-Seven Thousand Two Hundred Fifty Dollars and Zero Cents (\$1,667,250.00) on behalf of the City of Dayton, and Declaring an Emergency.

Commissioner Mims moved that this being an emergency measure for the immediate consideration of the Resolution. Commissioner Williams seconded the motion. The motion was passed with a 4-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Williams, Mims and Shaw. The question being shall Emergency Resolution No. 6190-16 be adopted. A roll call vote was taken resulting in a 4-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Williams, Mims and Shaw. The Emergency Resolution was adopted.

**ORDINANCE – FIRST READING**

Ordinance No. 31494-16- Vacating the Alley South of Stout Street from Catherine Street to South Patterson Boulevard.

**RESOLUTIONS – FIRST READING**

**Resolution No. 6191-16-** Declaring the Intention of the Commission to Vacate the Right-of-Way in front of 3606 Lakeside Drive.

**Resolution No. 6192-16-** Establishing the Community Police Council and Repealing Resolution No. 6165-16.

**RESOLUTIONS – SECOND READING**

**Resolution No. 6189-16-** Approving the Submission of a Grant Application and Authorizing The Acceptance of a Grant Award from the Montgomery County Solid Waste District in the Amount of Sixty-Six Thousand Eighty-Five Dollars (\$66,085) on behalf of the City of Dayton.

The question being shall Resolution No. 6189-16 be adopted. A roll call vote was taken resulting in a 4-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Williams, Mims and Shaw. The Resolution was adopted.

**CITIZENS' COMMENTS**

Citizens' comments were received from the following:

- 1. **Mr. Jeffrey McNeal, 554 Harriet St.** - spoke against the expansion of BonBright Distributors.

**COMMENTS BY THE CITY MANAGER**

The City Manager, Ms. Shelley Dickstein, had no closing comments.

**COMMENTS BY THE CLERK OF COMMISSION**

The Clerk of Commission, Ms. Rashella Lavender, had no closing comments.

**COMMENTS BY CITY COMMISSION**

**Commissioner Shaw**

Commissioner Shaw highlighted Mt. Enon Baptist Church for the 2016 Business Summit and the 2016 Arts Day and Luncheon. He said the City of Dayton continues to be a leader in the world of art.

**Commissioner Williams**

Commissioner Williams encouraged the Dayton residents to fill out the 2016 Survey. He thanked Ms. Dickstein, City Manager and Mr. Joe Parlette, Assistant City Manager for their attendance at the Speak. Be Heard. Be Considered. event.

Commissioner Williams highlighted a article in the Dayton Daily News on Redlight Cameras.

Commissioner Mims thanked Ms. Alma Clark, President of Links, Inc. for the 22<sup>nd</sup> Men's Cooking event at Sinclair Community College. He noted Commissioner Shaw's participation, and Mayor Whaley's attendance.

**Mayor Whaley**

Mayor Whaley thanked the citizens of Dayton for their donation of 85,000 new books. She said every child in the City of Dayton will receive ten books of their choosing.

**ADJOURNMENT**

There being no further business, the meeting was adjourned at 7:05 p.m.

\_\_\_\_\_  
**Mayor Nan Whaley**

**Attest:** \_\_\_\_\_  
**Clerk of Commission**